

### REMARKS

This application has been carefully reviewed in light of the Office Action dated December 15, 2004. Claims 1, 2, 4 to 10, 12 to 17, 19 to 26, 28 to 34 and 36 to 39 are pending in the application, with Claims 3, 11, 18, 27 and 35 having been cancelled. Claims 1, 4, 7, 8 to 10, 12 to 16, 19, 22 to 24, 25, 28, 31 to 34 and 37 to 39 have been amended, and Claims 1, 10, 16, 25 and 34 are in independent form. Reconsideration and further examination are respectfully requested.

Claims 9, 15, 24, 33 and 39 were rejected under 35 U.S.C. § 112, second paragraph, for allegedly reciting a limitation with insufficient antecedent basis. In response, Claims 9, 15, 24, 33 and 39 have been amended. Reconsideration and withdrawal of this rejection are respectfully requested.

In the Office Action, Claims 1 to 6, 10 to 12, 16 to 21, 25 to 30 and 34 to 37 were rejected under 35 U.S.C. § 102(e) over U.S. Patent No. 6,301,013 (Momose); Claims 7, 13, 22 and 31 were rejected under 35 U.S.C. § 103(a) over Momose in view of U.S. Patent No. 6,639,688 (Imai); and Claims 8, 14, 23 and 32 were rejected under 35 U.S.C. § 103(a) over Momose in view of U.S. Patent No. 6,614,546 (Kurozasa); Claims 9, 15, 24, 33 and 39 were rejected under 35 U.S.C. § 103(a) over Momose in view of U.S. Patent Application Publication No. 2001/0012124 (Morikawa); and Claim 38 was rejected under 35 U.S.C. § 103(a) over Momose in view Imai and Kurozasa. In response, Claims 3, 11, 18, 27 and 35 have been cancelled without prejudice or disclaimer of subject matter, and the substance thereof incorporated into independent Claims 1, 10, 16, 25 and 34, respectively. Accordingly, this should be viewed as a traversal of the rejection, as set forth in more detail below.

The present invention generally concerns the generation of print data for a print device having a plurality of print description modes. A print setting item is set by a user. A decision is made for one of the plurality of print description modes, with a first decision based on the print setting item, and a second decision based on contents of print data to be printed. The second decision is not performed when the first decision is made for one print description mode, and the second decision is performed when the first decision is not made for one print description mode. The print data is generated (or transmitted) based on the decided print description mode.

Thus, among its many features, the present invention provides for a plurality of print description modes, and decides on a print description mode based on contents of print data to be printed if a print setting item is not set by a user. By virtue of this feature, a print description mode can be decided upon with greater certainty. In particular, a decision based on a print setting item set by a user can be associated with a light processing load, and a decision based on contents of print data to be printed can be associated with a heavier processing load.

Referring specifically to the claims, independent Claim 1 as amended is directed to a print control apparatus for generating print data for a print device having a plurality of print description modes. The print control apparatus comprises user interface means for causing a user to set a print setting item, first decision means for deciding one of the plurality of print description modes in accordance with the print setting item set via the user interface means, and second decision means for deciding one of the plurality of print description modes in accordance with contents of print data to be printed. The print control apparatus also comprises generation means for generating print data to be printed

by the print device in the print description mode decided by the first decision means or the second decision means. In addition, a decision process of the second decision means is not performed when the first decision means does decide one print description mode, and the decision process of the second decision means is performed when the first decision means does not decide one print description mode.

In a similar manner, independent Claims 10, 16 and 25 are respectively directed to a method, storage medium, and a computer program.

Independent Claim 34 as amended is directed to a print control apparatus for generating print data for a print device having a plurality of print description modes. The print control apparatus comprises a user interface for causing a user to set a print setting item, and a printer driver for deciding a print description mode when one print description mode can be decided based on the print setting item set via the user interface. The print control apparatus also comprises a despooler for deciding despooling spooled print data and deciding a print description mode in accordance with contents of the print data. In addition, a decision process of the despooler is not performed when the printer driver does decide one print description mode, and the decision process of the despooler is performed when the printer driver does not decide one print description mode.

The applied art is not seen to disclose or to suggest the features of the present invention. In particular, the Momose, Imai, Kurozasa and Morikawa references are not seen to disclose or suggest a plurality of print description modes, nor are they seen to decide on a print description mode based on contents of print data to be printed if a print setting item is not set by a user.

As understood by Applicant, Momose discloses a printing control apparatus that allegedly facilitates printing settings, such as magnification-reduction and a layout of plural pages on one printing plane. An operator sets in advance print attribute information, such as an orientation, a printable area, and magnification-reduction, mapped to plural pieces of logic sheet information with a data input device. The plural pieces of logic sheet information with the print attribute information mapped thereto are registered in a pull-down menu. The operator selects one piece of logic sheet information out of the pull-down menu, so as to set the print attribute information corresponding to the selected piece of logic sheet information. See Momose, Abstract; column 1, line 54 to column 2, line 9.

Although Momose may be seen to teach the setting of print attribute information, it is not seen to disclose or suggest a plurality of print description modes. For example, one embodiment of the present invention includes Page Description Language (PDL) as one of the plurality of print description modes. In addition, Momose is not seen to disclose or suggest deciding on a print description mode based on contents of print data to be printed if a print setting item is not set by a user.

In its rejection of now cancelled Claim 3, the Office Action cited to column 11, lines 6 to 15 of Momose, in which a host computer decides whether or not to carry out automatic sheet selection, with automatic sheet selection corresponding to the use of sheet information specified by the AP (applications programs) or the OS (operating system). However, the cited portion is not seen to teach the use of print description modes. Rather, Momose merely describes that a variety of print attributes can be set. In addition, Momose is not seen to disclose or suggest deciding on a print description mode based on contents of

print data to be printed if a print setting item is not set by a user, nor does it suggest the attendant benefits provided by such a decision.

In addition, Imai, Kurozasa and Morikawa have been reviewed and are not seen to compensate for the deficiencies of Momose. In particular, Imai discloses a selection between an image mode and a text mode, but Imai's image and text modes are not the same as the claimed "print description mode".

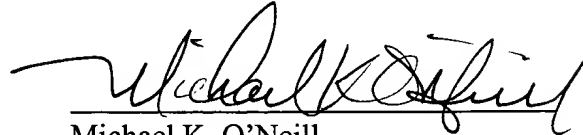
Accordingly, based on the foregoing amendments and remarks, independent Claims 1, 10, 16, 25 and 34 are believed to be allowable over the applied references.

The other claims in the application are each dependent from the independent claims and are believed to be allowable over the applied references for at least the same reasons. Because each dependent claim is deemed to define an additional aspect of the invention, however, the individual consideration of each on its own merits is respectfully requested.

No other matters being raised, it is believed that the entire application is fully in condition for allowance, and such action is courteously solicited.

Applicants' undersigned attorney may be reached in our Costa Mesa,  
California office at (714) 540-8700. All correspondence should continue to be directed to  
our below-listed address.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Michael K. O'Neill", written over a horizontal line.

Michael K. O'Neill  
Attorney for Applicant  
Registration No.: 32,622

FITZPATRICK, CELLA, HARPER & SCINTO  
30 Rockefeller Plaza  
New York, New York 10112-2200  
Facsimile: (212) 218-2200

CA\_MAIN 94797v1